Does Freedom of Speech Include Fascists?

Martin Glaberman's 1945 response to Judah Drob of the Socialist Party, who had been arguing against anti-fascist pickets.

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Transcribed & marked up by Einde O'Callaghan for ETOL.
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Smith's national drive and the reception he has received – particularly in Los Angeles and Detroit – should be analyzed by every thinking worker and antifascist. They offer in miniature form the answer to rising fascism. They contain on a small scale all the tragic errors of the German and Italian labor movements and they answer that decisive question on which depends the life or death of the American working class: How to fight fascism?

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the Common Man. **The author is Judah Drob, secretary of the Socialist Party of Michigan, who is no common man himself. He studied hard in the school of SP anti-fascism and learned all about how not to fight fascism. He diligently memorized his lessons and set them all down in one column.**

On Giving Smith Publicity

Without even warming up, Drob includes several errors in his first sentence. "Gerald L.K. Smith's best friends," he says, referring to the Negro and white unionists, the veterans, the Jews and others who were on the picket line, "are out helping him get publicity, money and martyrdom again." We will pass over the vicious slur against the antifascist pickets. But the rest of the sentence is a lie which must be destroyed. It is a lie as old as fascism and has served to hinder the fight against fascism equally as long. We might note in passing that if Drob were really consistent he could have saved himself a lot of trouble if he had not written his column in the first place. That would have resulted in that much less publicity for Smith. But then we have long given up asking for consistency from the Socialist Party.

The idea that without anti-Smith actions Smith would get no publicity and no money is based on the false conception that Smith is a crackpot and gets his only support from poor, misguided sections of the public.

The facts, however, are quite the contrary. Fascism does not consist merely of crackpots with ridiculous ideas with which they fool a gullible public. Fascism, in the last analysis, represents reactionary monopoly capitalism. Fascists advance a program which is carefully and methodically worked out, stupid as it may appear, to rally demagogically a crisis-torn middle class to be used as the props of big business. That is the conscious aim and role of fascism and, so, of Gerald Smith. The ruling capitalist class knows how to make use of the fascists when they need them. The most far-sighted capitalists supply them with funds and publicity even now. Among the contributors and supporters of Smith are some of the leading representatives of American capitalism. Henry Ford, William Randolph Hearst, James H. Rand of RemIngton-Rand, Arthur Hays Sulzberger of the **New York Times** are some whose names have come to light. "Many of the lesser industrialists around Detroit make no attempt to deny their contributions to Smith," said W.B. Huie in the August 1942 **American Mercury** (quoted in **The Truth About Gerald Smith** by Hal Draper). Smith will never want for money or publicity so long as there are capitalists who fear the working class threat to their power and profits.

Effect of Picketing

Talk of martyrdom is just so much hogwash. It is a fact that at previous meetings in Detroit Smith was able to get packed halls. Yet his last one, at which the picket line was announced, was relatively poorly attended. Fascists are a cowardly lot and a show of opposition will keep them home. The effectiveness of the picketing is evident in more than the attendance at his meeting. The tremendous protest that was aroused in Los Angeles resulted in a visible back-tracking in Smith's Detroit speech. He was far less bold in his anti-Semitism, anti-Negro and anti-labor remarks. He attacked Negroes and Jews only by implication and indirection, whereas in Los Angeles he was open and bitter. What reason could there be for this except his fear of an aroused labor movement? Martyrdom? Quite the contrary. The Los Angeles and Detroit actions had him scurrying for cover.

Drob isn't merely against the picket line because it's bad tactics:

This business of picketing Smith's meeting would have been okay if it had just been a picket line. I'd still have said that it was a tactical error ..

But the whole matter went far beyond that when efforts were made to deny Smith

the right to hold this meeting and to prevent people from entering.

Then it became a matter of principle. [It is a sad but true fact that included in the right of free speech is the right to use and misuse any word in the language – including "principle!"] Under our democratic principles, even so Iowa character as Smith has a perfect right to hold a meeting and say what he thinks . .

Freedom of speech and assembly don't mean a thing if they just mean the right to speak and meet about popular points of view. Those rights are to protect the unpopular minority, too.

Pickets Have Rights Also

Our principled Mr. Drob is forgetting some of his principles. One of them is the democratic right to picket.

Perhaps long dissociation from such practice has dulled Drob's memory, but there seems to be a vague connection between picketing and keeping people out of something, a plant, let us say. Have any capitalists. courts or police ever objected to a picket line that didn't keep anyone from entering a struck plant – that didn't even try! We would like to caution Drob against giving such lectures on picketing to auto workers in the city in which he lives, above all, during the impending strike.

But more is involved than this. Drob talks of the equal rights of unpopular minorities. He, who calls himself a socialist, puts on the same plane the rights – really the right to life and existence – of the working class and the vast majority of the people with the "rights" of the fascist scum, who, in the last analysis, represent the interests of a tiny ruling oligarchy. Who can recognize such an "equality"?

Listen to an ideological compatriot of Drob's: "The pickets took advantage [not exercised their right, but took advantage – M.H.] of the basic freedoms of speech and assemblage to assemble in front of the hall.

Yet they sought to deny the same freedoms to the Smith meeting by forcibly excluding people from attending it." Who writes this? The ultra-reactionary Detroit News which is currently engaged in a campaign to discredit the wage increase demands of the CIO. The News continues with perfect logic, a logic

which follows just as easily from Drob's position: "The police were not merely justified, but duty-bound in their use of force to oppose the forcible efforts of pickets to prevent the Smith meeting from being held." Why not, if the pickets are undemocratic, if they seek to deprive an "unpopular minority" of its democratic rights?

Does Drob, then, intend to do nothing to stop the fascists? Well, no; if he is pressed to the wall – and he means this literally – he will fight back.

Obviously if a country is in a state of virtual civil war, as Germany was in 1931, 1932 and 1933, when the civil authorities were unable to prevent the fascists from breaking up the meetings of the democrats, the democrats are crazy to depend upon the authorities to maintain democracy . . But when the situation is perfectly well in hand, and the danger of a fascist like Smith ever achieving power, or even considerable influence, is remote, it is sheerest folly to conduct a civil war against him.

When to Attack Fascism

To accept such advice would be suicide for the working class and its organizations, as the example of Germany has proved. What is suggested is that we remain quiet and peaceful while the fascist bands recruit and arm themselves. When they then are ready for civil war, and when the working class has been weakened and softened by the Drobs who counselled patience, resist. It seems like elementary common sense to smash the fascists when they are weak and the working class is strong. To join battle at a time most favorable to the working class, not to its enemy, is to avoid unnecessary bloodshed and the danger of defeat. But then, Drob has taken a post-graduate course in Socialist Party anti-fascism and cannot bother with elementary common sense.

Before the civil war with a threatening fascism, Drob proposes reliance on authorities to maintain democracy, that is, reliance on the capitalist democratic state. This is the cry of all the liberals,

"democrats" and reformists. It was this policy, carried out by Drob's ideological brothers, who headed the Socialist Parties of Germany and Italy, that left the working class of those countries defenseless against

the onslaught of fascism. Can capitalist democracy defend society against fascism? Who are the "civil authorities" in the democratic capitalist countries?

Leon Trotsky wrote in **Whither France**: *The bourgeoisie is leading its society to complete bankruptcy. It is capable of assuring the people neither bread nor peace. This is precisely why it cannot any longer tolerate the democratic order. It is forced to smash the workers by the use of physical violence. The discontent of the workers and peasants, however, cannot be brought to an end by the police alone .. That is why finance capital is obliged to create special armed bands, trained to fight the workers just as certain breeds of dogs are trained to hunt game.*

Fascism and the Democratic State

It is this that is at the root of the matter. The "democratic" authorities nurture and protect the fascists.

They extend to them all their "rights" and more. Both are responsible, in the last analysis, to the same master, finance capital. When the need exists, one is retired and the other pushed to the fore. Capitalist democracy and fascism are both forms of political rule for the capitalist class. This, too, was demonstrated in the anti-Smith demonstrations. What were the police doing at the Detroit meeting? Protecting the fascists. Smith himself had a huge bodyguard of cops on the platform. For the workers outside, however, there were prepared riot squads, mounted police, tear gas. Smith was fully conscious of the role of the police. He addressed them specifically during his speech: "When you see that scum outside and these citizens here in this hall, you know where your interests lie."

Fascism feeds on capitalist democracy in crisis. It is because the people, and most especially the middle class, can see no way out of the crisis that they begin to turn to fascism. There is only one answer to fascism. Strike at the movement itself, but equally important, strike at the roots – rotting, decaying capitalism. Until the system that breeds wars, unemployment, mass misery is overthrown and a socialist society of peace and plenty is put in its place, there will be no peace with fascism. "Fascism comes," said Trotsky, "only when the working class shows complete incapacity to take into its own hands the fate of society." The liberals and the present labor leadership have not the slightest understanding of this. They shrink in fear when it is barely mentioned. They cling to capitalist democracy like a dog to the corpse of its dead master, and when fascism raises its head they whimper and they cry and call for Law and Order.

Organized labor can stop fascism. But only if it breaks with its compromising,

vacillating leadership, only if it strikes out on the road of revolutionary socialism. Fascism is still weak in the United States; labor is on the offensive. There is still time to learn this lesson. But time runs out.